

**AFFIDAVIT OF UPS OVERNIGHT**

STATE OF NEW YORK      )  
                                    )ss.:  
COUNTY OF NEW YORK      )

**MARIANNA BEDINER** being duly sworn, deposes and says I am not a party of this action, I am over 18 years of age and my business address is c/o Nesenoff & Miltenberg, LLP, 363 Seventh Avenue, Fifth Floor, New York, New York 10001.

On the 30<sup>th</sup> day of April, 2007, deponent served a true copy of the annexed **SECOND AMENDED COMPLAINT** via UPS Overnight Mail, Tracking No.: 1Z 869 6XX 22 1009 1142, in a pre-paid wrapper addressed to:

**TO: ORRICK, HERRINGTON & SUTCLIFFE LLP**  
Attn.: Lisa T. Simpson, Esq./Rishona Fleishman, Esq.  
666 Fifth Avenue  
New York, New York 10103

  
Marianna Bediner  
Marianna Bediner

Sworn to before me this  
30<sup>th</sup> day of April, 2007

  
Shari S. Laskowitz  
NOTARY PUBLIC

SHARI S. LASKOWITZ  
Notary Public, State of New York  
No. 02LA6046659  
Qualified in New York County  
Commission Expires August 14, 2010